



PAUL R. LEPAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

PATRICK C. KELIHER  
COMMISSIONER

March 29, 2012

Dear Elver License holder:

As you may be aware, a bill was passed during this session of the Maine Legislature (LD 1765) that made a number of changes to Maine's elver laws. This bill was passed as an emergency measure, and is effective with the signature of the Governor. Governor LePage signed the bill on March 29<sup>th</sup>, and these changes are now in effect.

We wanted to bring to your attention the provisions of the bill that have the most immediate impact on harvesters – specifically, a change to the closed periods of the fishery, and increases to the fines and penalties for violations.

- **Closed periods** for the elver fishery are now:
  - Tuesday noon to Wednesday noon, **and**
  - Saturday noon to Sunday noon.
- **Fines and penalties** for elver offenses have been increased substantially:
  - **Molesting elver gear.** First offense: \$2000 fine, and a mandatory 3-year suspension. Second offense: \$2000 fine, and permanent revocation of the elver license.
  - **Untagged elver gear.** First offense: \$2000 fine, and a mandatory 1-year suspension. Second offense: \$2000 fine, and permanent revocation of the elver license.
  - **Fishing during the closed season or fishing during a closed period.** First offense: mandatory 1-year suspension. Second offense: permanent revocation of the elver license.
  - **Fishing without a license.** First offense: \$2000 fine, and loss of eligibility for the elver license lottery for 1 year. Second offense: \$2000 fine, permanent loss of eligibility for the lottery, and becomes a criminal offense, which could result in jail time.

It is important to note that if you have existing elver violations on your record, these violations will count as your first offense. If you are convicted of another elver violation during the remainder of this season, it will count as your second offense. **This means that your license will be permanently revoked.**

If you have questions about the enforcement of these new laws, please contact your local Marine Patrol Officer. You may also contact Patrol's Division I Office at 633-9595, Patrol's Division II Office at 667-3373, or DMR's Hallowell Office at 624-6550.

In addition, the bill also provided for a lottery for both gear and licenses to be held in 2013. Existing license holders who have only a dip net may have the opportunity to enter the lottery for a fyke net, and unlicensed fishermen may have the opportunity to obtain a license. The Department will need to adopt

regulations to specify how the lottery will be administered. We will notify people of the public hearings for these rules as we always do.

Thank you for your understanding regarding the need to make these changes during the elver season. As I am sure you recognize, this is a very unusual situation resulting from the historically high prices that are currently being paid, which has caused a dramatic increase in illegal activity. Both the Department and the Legislature felt it was important to provide meaningful deterrents in order to ensure the proper management of this valuable fishery.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick C. Keliher", with a long horizontal flourish extending to the right.

Patrick C. Keliher  
Commissioner